

4

**Notice of Allowability**

Application No.

09/394,118

Examiner

Lilian Vo

Applicant(s)

FOOTE, WILLIAM F.

Art Unit

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 6/13/05.
2. ☒ The allowed claim(s) is/are 38 - 40, 42, 43, 45 - 60 and 62 - 72 now renumbered as 1 - 32.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☒ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 8/17/05.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.



MENG-AL T. AN

ASSISTANT PATENT EXAMINER

Lilian Vo  
Examiner  
Art Unit: 2195

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Fredrik Mollborn on 8/17/05.

3. The application has been amended as follows:

In the claims:

i) **Delete claims 41, 44 and 61.**

ii) **Replace Claim 38:**

**Claim 38** (Currently Amended): A computer-implemented method for managing resource usage of code downloaded to a computer system, the method comprising:

for each code downloaded to the computer system, associating a resource indicator with all threads that are executed directly by the downloaded code and all threads that are initiated by the downloaded code, wherein all of the threads that are

Art Unit: 2195

executed directly by the downloaded code and all threads that are initiated by the downloaded code are defined as a set of related code;

associating the set of related code with each resource portion of a particular resource that is allocated for the set of related code;

disassociating, through a garbage collection procedure, the set of related code with each resource portion of the particular resource that is deallocated for the set of related code; and

updating the resource indicator every time that the set of related code changes its actual collective resource usage of a particular resource so that the resource indicator only tracks actual resource usage of the set of related code, wherein the updating includes increasing the resource indicator every time the resource portion is allocated for the set of related code and decreasing the resource indicator every time the resource portion is deallocated for the set of related code.

iii) **Claim 42:**

Line 1, replace "41" with -- 38 --;

iv) **Claim 53:**

Line 2, delete "the";

v) **Replace claim 60:**

**Claim 60** (Currently Amended): A computer program product, stored on a machine-readable medium, containing computer code for managing resource usage of code downloaded to a computer system, the computer program product including:

computer code for associating for each code downloaded to the computer system a resource indicator with all threads that are executed directly by the downloaded code and all threads that are initiated by the downloaded code, wherein all of the threads that are executed directly by the downloaded code and all threads that are initiated by the downloaded code are defined as a set of related code;

computer code for associating the set of related code with each resource portion of a particular resource that is allocated for the set of related code;

computer code for disassociating, through a garbage collection procedure, the set of related code with each resource portion of the particular resource that is deallocated for the set of related code; and

computer code for updating the resource indicator every time that the set of related code changes its actual collective resource usage of the particular resource so that the resource indicator only tracks actual resource usage of the set of related code, wherein the updating includes increasing the resource indicator every time the resource portion is allocated for the set of related code and decreasing the resource indicator every time the resource portion is deallocated for the set of related code.

vi) **Claim 62:**

Line 1, replace “readable medium” with -- program product --;

vii) **Claim 63:**

Line 1, replace “readable medium” with -- program product --;

viii) **Claim 64:**

Line 1, replace “readable medium” with -- program product --;

ix) **Claim 65:**

Line 1, replace “readable medium” with -- program product --;

x) **Claim 66:**

Line 1, replace “readable medium” with -- program product --;

xi) **Claim 67:**

Line 1, replace “readable medium” with -- program product --;

xii) **Claim 68:**

Line 1, replace “readable medium” with -- program product --;

xiii) **Claim 69:**

Line 1, replace “readable medium” with -- program product --;

Line 2, delete “the” after “in”;

xiv) **Claim 70:**

Line 1, replace “readable medium” with -- program product --;

xv) **Claim 71:**

Line 1, replace “readable medium” with -- program product --;

xvi) **Claim 72:**

Line 1, replace “readable medium” with -- program product --;

4. Pursuant to MPEP 606.01, the title has been changed to read: -- METHODS FOR MANAGING RESOURCE USAGE OF CODE DOWNLOADED BY USING RESOURCE INDICATOR TO TRACK AND UPDATE THE ACTUAL CHANGES --.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lilian Vo whose telephone number is 571-272-3774. The examiner can normally be reached on Monday - Friday, 8am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2195

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist at 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lilian Vo  
Examiner  
Art Unit 2195

lv  
August 16, 2005

  
MENG-AT P. YAN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100